

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

OSWALD et al

Atty. Ref.: 1418-49

Serial No. 10/577,941

TC/A.U.: TBA

Filed: May 3, 2006

Examiner: TBA

For: DETERMINING POSITIONAL INFORMATION

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April 5, 2007

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that had been cited by or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

Applicants have checked the appropriate boxes below.

1. ☒ This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No statement under 37 C.F.R. § 1.97(e) or fee is required. In the event, a first Office Action has been mailed prior to filing of the present Information Disclosure Statement, the Office is requested to treat the present paper s a submission under 37 C.F.R. § 1.97(c) and charge the undersigned's Deposit Account No. 14-1140 for the fee required by 37 C.F.R. § 1.17(p). The present paper is submitted in duplicate for this purpose.

2. ☐ This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

a. ☐ I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

b. ☐ I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

c. ☐ Attached is our check in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

3. ☐ This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. It is hereby requested that the Information Disclosure Statement be considered. Attached is our check in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(i).

a. ☐ I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a

foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

37 C.F.R. § 1.97(e)(1).

- b. ☐ I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

4. ☐ Relevance of the non-English language document(s) is discussed in the present specification.

5. ☐ The document(s) was/were cited in a corresponding foreign application. An English language version of the foreign search report is attached for the Examiner's information.

6. ☐ A concise explanation of the relevance of the non-English language document(s) appears below:

7. ☐ The Examiner's attention is directed to co-pending U.S. Patent Application No. , filed , (copy attached) which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.

8. ☐ Copies of the documents were cited by or submitted to the Office in Application No. , filed , which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.


OSWALD et al.

Application No. 10/577,941

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 14-1140 referencing docket number 1418-49.

Respectfully submitted,

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INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Atty. Docket No.

Serial No.

1418-49**10/577,941**

Applicant

OSWALD et al

Filing Date

TC/A.U.

May 3, 2006**TBA**

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	4,128,759	12/1978	Hunt et al.	250	199	
	6,414,633	07/2002	Delalat	342	442	
	5,361,072	11/1994	Barrick et al.	342	133	
	6,037,894	03/2000	Pfizenmaier et al.	342	70	
	5,742,252	04/1998	Nguyen et al.	342	156	
	2003/0058971	03/2003	Langford et al.	375	343	
	4,236,159	11/1980	Alpers	343	113	
	5,444,451	08/1995	Johnson et al.	342	453	
	4,034,376	07/1977	Barton	343	112	
	6,556,942	04/2003	Smith	702	150	

FOREIGN PATENT DOCUMENTS

						TRANSLATION	
DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS		YES	NO
2 785 394	11/1998	FR				ABSTRACT	
28 43 253	04/1980	DE				ABSTRACT	
2 326 299	12/1998	GB					
02/101408	12/2002	WO					
99/63359	12/1999	WO					
2 346 753	08/2000	GB				ABSTRACT	
61-139770	06/1986	JP				ABSTRACT	
2 261 788	05/1993	GB					
2 383 708	07/2003	GB					
2 332 112	06/1999	GB					

OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)

	"Robert J. Fontana et al. "ULTRA-WIDEBAND PRECISION ASSET LOCATION SYSTEM" IEEE Conference on Ultra-Wideband Systems and Technologies, March 21, 2002; pp 147-150.
	"Robert J. Fontana et al. "COMMERCIALIZATION OF AN ULTRA WIDEBAND PRECISION ASSET LOCATION SYSTEM" IEEE November 16, 2003; pp 369-373.

*Examiner

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.